

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

PENNSYLVANIA STATE UNIVERSITY:	:	Civil No. 4:12-CV-54
	:	
Plaintiff,	:	
	:	(Chief Judge Kane)
v.	:	
	:	(Magistrate Judge Carlson)
DOUBLE DOMER PROPERTIES, LLC. :	:	
et al,	:	
	:	
Defendants.	:	

REPORT AND RECOMMENDATION

I. Statement of Facts and of the Case

This is a civil action brought by Pennsylvania State University. (Doc. 1) The Plaintiff has now filed a motion pursuant to Rule 41(a)(2) of the Federal Rules of Civil Procedure seeking to voluntarily dismiss this complaint without prejudice in light of the settlement of this case.

II. Recommendation

Given the parties' report that this matter has been settled, IT IS RECOMMENDED that this Court should enter a 60-day order, dismissing this action without prejudice, upon good cause shown within sixty (60) days, to reinstate the action if the settlement is not consummated.

The parties are further placed on notice that pursuant to Local Rule 72.3:

Any party may object to a magistrate judge's proposed findings, recommendations or report addressing a motion or matter described in 28 U.S.C. § 636 (b)(1)(B) or making a recommendation for the disposition of a prisoner case or a habeas corpus petition within fourteen (14) days after being served with a copy thereof. Such party shall file with the clerk of court, and serve on the magistrate judge and all parties, written objections which shall specifically identify the portions of the proposed findings, recommendations or report to which objection is made and the basis for such objections. The briefing requirements set forth in Local Rule 72.2 shall apply. A judge shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made and may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge. The judge, however, need conduct a new hearing only in his or her discretion or where required by law, and may consider the record developed before the magistrate judge, making his or her own determination on the basis of that record. The judge may also receive further evidence, recall witnesses or recommit the matter to the magistrate judge with instructions.

Submitted this 2d day of May 2012.

S/Martin C. Carlson

Martin C. Carlson

United States Magistrate Judge